

Docket No. 2527-1A



01-25-03

1651

January 10, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MARIO TENUTA ET AL.

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Serial No. 09/624,098

Art Unit: 1651

Filed: July 24, 2000

Examiner: D. Naff

Title: METHOD FOR THE TREATMENT OF A SOIL
CONTAINING SOILBORNE PATHOGENS

#17
M.G.
7/2/03

Honorable Commissioner of
Patents and Trademarks,
Washington, D.C. 20231

AMENDMENT

SIR:

In the matter of the above identified application, Applicant would note that an Amendment Before Action dated December 10, 2002 has been filed in this application. This amendment is believed to be responsive to the Office Action of December 17, 2002.

Further action on this application is awaited in due course.

Respectfully,

Eric Fincham, Reg. 28,201

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on Jan 26 2003
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Barbara Duffus

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AMENDMENT BEFORE ACTION

S I R:

In the matter of the above identified application, would the Office kindly enter the instant amendment.

IN THE CLAIMS:

Kindly amend Claim 1 as follows:

1. (Amended) A method of controlling soilborne pathogens in a soil comprising the step of adding a nitrogen containing material and a pH reducing agent to said soil, said pH reducing agent being present in an amount sufficient to reduce soil pH below 5.5, said nitrogen containing material being present in an amount sufficient to ^{generate sufficient} convert said nitrogen containing material to nitrous acid to thereby control said soilborne pathogens.